



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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DEAN D. EFSTATHIOU, Acting Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

November 18, 2008

IN REPLY PLEASE
REFER TO FILE: MP-6

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**LAGUNA DOMINGUEZ FLOOD CONTROL SYSTEM
DOMINGUEZ CHANNEL - PARCEL 1
GRANT OF EASEMENT FROM THE LOS ANGELES COUNTY FLOOD
CONTROL DISTRICT TO THE CITY OF HAWTHORNE
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

This action will allow the Los Angeles County Flood Control District to grant an easement for public road and highway purposes over Laguna Dominguez Flood Control System-Dominguez Channel to the City of Hawthorne.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the City of Hawthorne's Crenshaw Boulevard/120th Street Improvement project is exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Find that the proposed grant of easement for public road and highway purposes and the subsequent use of said easement will not interfere with the use of Laguna Dominguez Flood Control System-Dominguez Channel for any purposes of the Los Angeles County Flood Control District.

3. Approve the grant of an easement for public road and highway purposes from the Los Angeles County Flood Control District to the City of Hawthorne within Laguna Dominguez Flood Control System-Dominguez Channel, Parcel 1, for \$50,000.
4. Instruct the Chair to sign the Easement document and authorize delivery to the City of Hawthorne.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to allow the Los Angeles County Flood Control District (LACFCD) to grant an easement for public road and highway purposes over Laguna Dominguez Flood Control System-Dominguez Channel (Dominguez Channel) to the City of Hawthorne (City). The City requested the easement as a part of a right of way street widening project. The granting of this easement is not considered adverse to the LACFCD's purposes. Moreover, the instrument reserves paramount rights for the LACFCD's interest.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Fiscal Responsibility (Goal 4). The revenue received from this transaction will be used for flood control purposes. This transaction will also provide Community Services (Goal No. 6). This transaction will allow the City to proceed with its road improvement project, thereby improving the quality of life for those residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The proposed easement price of \$50,000 represents a negotiated market value. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Dominguez Channel, Parcel 1 (2,102 ± square feet), is located at the northeast corner of 120th Street and Crenshaw Boulevard, in the City.

The proposed grant of easement is authorized by Section 2, Paragraphs 10 and 13, of the Los Angeles County Flood Control Act. Paragraph 10 authorizes the Flood Control District,

"to grant or otherwise convey to ... cities ... easements for street and highway purposes, over, along, upon, in, through, across or under any real property owned by said Los Angeles County Flood Control District. Paragraph 13 authorizes the Flood Control District, "to...sell or dispose of any property (or any interest therein) whenever in the judgment of [the board of supervisors of the Flood Control District], said property or any interest therein, or any part thereof, is no longer required for the purpose of said district..."

The granting of this easement will not hinder the use of Dominguez Channel for possible transportation, utility, or recreational corridors or flood control purposes.

The attached Easement has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project involves resurfacing and reconstruction of roadway pavement, modification of existing traffic signal systems, maintenance of existing roadway facilities, and, therefore, is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Section 15301(c) of the State CEQA Guidelines, and Class 1(x), Subsections 2, 4, 14, and 22 and Class 5(a) of the Los Angeles County Environmental Reporting Procedures and Guidelines, Appendix G. In addition, the project is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

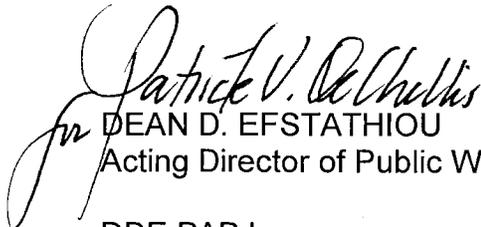
This action allows for the joint use of LACFCD right of way without interfering with the primary mission of the LACFCD.

The Honorable Board of Supervisors
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CONCLUSION

Please return one adopted copy of this letter and the executed original Easement to the Department of Public Works, Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,


DEAN D. EFSTATHIOU
Acting Director of Public Works

DDE:PAP:hp

Attachment

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office (Lari Sheehan)
County Counsel

ORIGINAL

RECORDING REQUESTED BY
AND MAIL TO:

City of Hawthorne
4455 West 126th Street
Hawthorne, CA 90250-4482

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX
PURSUANT TO SECTION 11922 OF THE REVENUE & TAXATION CODE

Space Above This Line Reserved for Recorder's Use

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO
SECTION 27383 OF THE GOVERNMENT CODE

Assessor's Identification Number:
4056-030-902 (Portion)

EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to the CITY OF HAWTHORNE, a municipal corporation (hereinafter referred to as GRANTEE), an easement for public road and highway purposes in, on, over, and across the real property in the City of Hawthorne, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which GRANTEE, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agrees to keep and perform, viz:

1. DISTRICT reserves the paramount right to use said land for flood control purposes.
2. GRANTEE agrees that it will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

File with: DOMINGUEZ CHANNEL 1 28-RW 1.2 S.D. 2 M083005
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OG:bw

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3. GRANTEE agrees that it shall indemnify and save harmless DISTRICT, its officers, agents, and/or employees, from any and all liability, loss, or damage to which DISTRICT, its officers, agents, and employees may be subjected as the result of any act or omission by GRANTEE, its officers, agents, or employees, arising out of the exercise by GRANTEE, its officers, agents, or employees of any of the rights granted to it by this instrument.
4. It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement.
5. The provisions and agreements contained in this Easement document shall be binding upon GRANTEE, its successors, and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following GRANTEE's exercise of these easement rights to construct such structures and improvements, GRANTEE agrees to pay on behalf of DISTRICT that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area, by GRANTEE's said improvements.

Dated NOV 18 2008



LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By *George B. Bente*
Chair, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By *Sachi A. Hamai*
Deputy

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this 18TH day of NOVEMBER, 20 08, the facsimile signature of YVONNE B. BURKE, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.



SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By [Signature]
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By [Signature]
Deputy

APPROVED as to title and execution,
_____, 20____.
DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division
Supervising Title Examiner
By _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant, dated _____, from the Los Angeles County Flood Control District, a body corporate and politic, to the City of Hawthorne, a municipal corporation, is hereby accepted pursuant to the authority conferred by Resolution No. _____ of the City Council of the City of Hawthorne,, adopted on _____, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated _____

By _____

EXHIBIT A

File with: **DOMINGUEZ CHANNEL 1**
28-RW 1.2
A.P.N. 4056-030-902 (Portion)
T.G. 703 (F7)
I.M. 084-189
S.D. 2
M0823005

LEGAL DESCRIPTION (Outgrant of easement)

That portion of that certain 100-foot wide strip of land in the northwest quarter of Section 11, Township 3 South, Range 14 West, S.B.M., described as PARCEL NO. 1 in a Final Judgment, had in Superior Court Case No. 518237, a certified copy of which is recorded in Book 24707, page 69, of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within the following described boundaries:

Commencing at the intersection of the easterly line of the westerly 30 feet of the northwest quarter of said section and that certain curve in the generally northeasterly boundary of said PARCEL NO. 1, said curve being concave to the southwest and having a radius of 250.00 feet, a radial of said curve to said intersection bears North $01^{\circ}19'57''$ East; thence easterly along said curve through a central angle of $10^{\circ}21'02''$, an arc distance of 45.16 feet to a line parallel with and 74.82 feet easterly, measured at right angles, from the westerly line of said northwest quarter, said parallel line also being a course in the generally northeasterly boundary of that certain parcel of land described in deed to the State of California, recorded on November 14, 2002, as Document No. 02-2749777, of said Official Records; thence along said last-mentioned generally northeasterly boundary South $0^{\circ}03'38''$ West 7.56 feet to the TRUE POINT OF BEGINNING; thence continuing along said last-mentioned generally

northeasterly boundary the following courses and curves: South 0°03'38" West 20.40 feet to the beginning of a tangent curve concave to the northeast and having a radius of 44.00 feet, southeasterly along said last-mentioned curve through a central angle of 82°47'56", an arc distance of 63.58 feet, South 82°44'18" East 103.86 feet to said curve having a radius of 250.00 feet; thence northwesterly along said last-mentioned curve through a central angle of 5°12'18", an arc distance of 22.71 feet; thence non-tangent to said last-mentioned curve North 82°32'07" West 83.33 feet to the beginning of a tangent curve concave to the northeast and having a radius of 50.00 feet; thence northwesterly along said last-mentioned curve through a central angle of 82°35'45", an arc distance of 72.08 feet to the TRUE POINT OF BEGINNING.

Containing: 2,102± s.f.

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

APPROVED AS TO DESCRIPTION

COUNTY OF LOS ANGELES
By _____
SUPERVISING CADASTRAL ENGINEER III
Mapping and Property Management Division

EXHIBIT A